

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRI.APPLN.NO.3110 OF 2005
IN
CRI.APPEAL NO. 424 OF 2005

Sanjay Santan @ Santram
Sathe ..Applicant
Vs.
The State of Maharashtra ..Respondent

.....
Mrs.Ujwal Agandsurve Advocate for Applicant
Smt.V.R.Bhosale, A.P.P. for State
.....

CORAM: D.G.DESHPANDE AND
SMT.V.K.TAHILRAMANI, JJ.
DATE : MAY 3, 2006

ORAL ORDER (PER SMT.V.K.TAHIRAMANI, J):

1. Heard learned advocate for the applicant and learned A.P.P. for the State.
2. The applicant has been convicted under Sections 498-A and 302 of IPC. The applicant is now seeking bail.
3. It is the case of the prosecution that applicant has murdered his wife Swati by strangulating her neck. About two years prior to the incident, the applicant sustained loss to his business. On account of the said loss, he started demanding Rs.40,000/- from the parents of Swati.

As the demand was not satisfied, accused was subjecting his wife Swati to cruelty by abusing and beating her. The accused was also addicted to gambling, liquor and drugs. The fact of applicant being addicted to gambling, liquor and drugs and about demand of Rs.40,000/- has been stated by P.W.3 Rani and P.W.6 Gunabai. Deceased Swati was found strangulated in the house of the applicant. There is evidence on record to show that continuous demand of Rs.40,000/- was being made by the applicant and on account of demand not being met with, he was abusing and beating Swati. Thus, it is seen that applicant had motive to murder his wife Swati.

4. The medical record shows that besides ligature marks on her neck, there were other injuries on the body of Swati.

5. Looking to the evidence on record, we are not inclined to grant bail to the applicant.

6. Application is rejected.

[D.G.DESHPANDE, J.]

[SMT.V.K.TAHILRAMANI, J.]